

1 A reviser's bill to be entitled
 2 An act relating to the Florida Statutes; amending ss.
 3 319.30, 379.2495, 408.9091, 961.05, and 1003.451,
 4 F.S.; to conform to the directive of the Legislature
 5 in section 9 of chapter 2012-116, Laws of Florida,
 6 codified as section 11.242(5)(j), Florida Statutes, to
 7 prepare a reviser's bill to omit all statutes and
 8 laws, or parts thereof, which grant duplicative,
 9 redundant, or unused rulemaking authority; providing
 10 an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraph (a) of subsection (8) and subsection
 15 (10) of section 319.30, Florida Statutes, are amended to read:
 16 319.30 Definitions; dismantling, destruction, change of
 17 identity of motor vehicle or mobile home; salvage.—

18 (8)(a) Secondary metals recyclers and salvage motor
 19 vehicle dealers shall return to the department on a monthly
 20 basis all certificates of title and salvage certificates of
 21 title that are required by this section to be obtained.
 22 Secondary metals recyclers and salvage motor vehicle dealers may
 23 elect to notify the department electronically through procedures
 24 established by the department when they receive each motor
 25 vehicle or mobile home, salvage motor vehicle or mobile home, or
 26 derelict motor vehicle with a certificate of title or salvage

27 certificate of title through procedures established by the
 28 department. ~~The department may adopt rules and establish fees as~~
 29 ~~it deems necessary or proper for the administration of the~~
 30 ~~electronic notification service.~~

31 ~~(10) The department may adopt rules to implement an~~
 32 ~~electronic system for issuing salvage certificates of title and~~
 33 ~~certificates of destruction.~~

34 Section 2. Subsection (5) of section 379.2495, Florida
 35 Statutes, is amended to read:

36 379.2495 Florida Ships-2-Reefs Program; matching grant
 37 requirements.—

38 ~~(5) The commission is authorized to adopt rules pursuant~~
 39 ~~to ss. 120.536(1) and 120.54 to address procedures necessary to~~
 40 ~~administer the matching grants provided in this section.~~

41 Section 3. Subsection (11) of section 408.9091, Florida
 42 Statutes, is amended to read:

43 408.9091 Cover Florida Health Care Access Program.—

44 ~~(11) RULEMAKING AUTHORITY.—The agency and the Financial~~
 45 ~~Services Commission may adopt rules pursuant to ss. 120.536(1)~~
 46 ~~and 120.54 as needed to administer this section.~~

47 Section 4. Section 961.05, Florida Statutes, is amended to
 48 read:

49 961.05 Application for compensation for wrongful
 50 incarceration; administrative expunction; determination of
 51 entitlement to compensation.—

52 (1) A wrongfully incarcerated person who is eligible for

53 compensation as defined in this act must initiate his or her
 54 application for compensation as required in this section no more
 55 than 2 years after the original sentencing court enters its
 56 order finding that the person meets the definition of wrongfully
 57 incarcerated person and is eligible for compensation as defined
 58 in this act.

59 (2) A wrongfully incarcerated person who is eligible for
 60 compensation under the act must apply to the Department of Legal
 61 Affairs. No estate of, or personal representative for, a
 62 decedent is entitled to apply on behalf of the decedent for
 63 compensation for wrongful incarceration.

64 ~~(3) The Department of Legal Affairs may adopt rules~~
 65 ~~regarding the forms and procedures related to applications for~~
 66 ~~compensation under the Victims of Wrongful Incarceration~~
 67 ~~Compensation Act.~~

68 ~~(4)~~ The application must include:

69 (a) A certified copy of the order vacating the conviction
 70 and sentence;

71 (b) A certified copy of the original sentencing court's
 72 order finding the claimant to be a wrongfully incarcerated
 73 person who is eligible for compensation under this act;

74 (c) Certified copies of the original judgment and
 75 sentence;

76 (d) Documentation demonstrating the length of the sentence
 77 served, including documentation from the Department of
 78 Corrections regarding the person's admission into and release

79 from the custody of the Department of Corrections;

80 (e) Positive proof of identification, including two full
 81 sets of fingerprints administered by a law enforcement agency
 82 and a current form of photo identification, demonstrating that
 83 the person seeking compensation is the same individual who was
 84 wrongfully incarcerated;

85 (f) All supporting documentation of any fine, penalty, or
 86 court costs imposed and paid by the wrongfully incarcerated
 87 person as described in s. 961.06(1)(c); and

88 (g) All supporting documentation of any reasonable
 89 attorney's fees and expenses as described in s. 961.06(1)(d);
 90 and

91 ~~(h) Any other documentation, evidence, or information~~
 92 ~~required by rules adopted by the department.~~

93 (4)~~(5)~~ The department shall forward one full set of
 94 fingerprints of the applicant to the Department of Law
 95 Enforcement for statewide criminal records checks. The
 96 Department of Law Enforcement shall forward the second set of
 97 fingerprints to the Federal Bureau of Investigation for national
 98 criminal records checks. The results of the state and national
 99 records checks shall be submitted to the department.

100 (5)~~(6)~~ Upon receipt of an application, the department
 101 shall examine the application and notify the claimant within 30
 102 calendar days of any errors or omissions, and request any
 103 additional information relevant to the review of the
 104 application. The claimant shall have 15 days after proper

105 notification of any existing errors or omissions to supplement
 106 the application. The department may not deny an application for
 107 failure of the claimant to correct an error or omission or
 108 supply additional information unless the department timely
 109 notified the claimant of such errors or omissions or requested
 110 the additional information within the 30-day period specified in
 111 this subsection. The department shall process and review each
 112 completed application within 90 calendar days. Once the
 113 department determines whether a claim for compensation meets the
 114 requirements of this act, the department shall notify the
 115 claimant within 5 business days of that determination.

116 (6)~~(7)~~ If the department determines that a claimant meets
 117 the requirements of this act, the wrongfully incarcerated person
 118 who is the subject of the claim becomes entitled to
 119 compensation, subject to the provisions in s. 961.06.

120 Section 5. Subsection (5) of section 1003.451, Florida
 121 Statutes, is amended to read:

122 1003.451 Junior Reserve Officers' Training Corps; military
 123 recruiters; access to public school campuses.—

124 ~~(5) The State Board of Education may adopt rules under ss.
 125 120.536(1) and 120.54 to administer this section.~~

126 Reviser's note.—Amends or repeals provisions of the Florida
 127 Statutes pursuant to the directive of the Legislature in s.
 128 9, ch. 2012-116, Laws of Florida, codified as section
 129 11.242(5)(j), Florida Statutes, to prepare a reviser's bill
 130 to omit all statutes and laws, or parts thereof, which

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131 grant duplicative, redundant, or unused rulemaking
132 authority.

133 Section 6. This act shall take effect on the 60th day
134 after adjournment sine die of the session of the Legislature in
135 which enacted.